



**OFFICIAL WARNING  
VIOLATION OF FEDERAL REGULATIONS**

**CASE NUMBER:  
CA160148**

**VIOLATOR:**  
East Bay Zoological Society  
Customer# 3375  
License# 93-C-0005

**ADDRESS** (Street, City, State, ZIP Code):  
9777 Golf Links Road  
Oakland, CA 94605

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed violations of the following sections of the Code of Federal Regulations, Title 9:

**Date(s): April 4, 2016 and January 5, 2016**

**§ 3.80(a)(2)(ix) Primary Enclosures.**

Primary enclosures must be constructed and maintained so that they enable all surfaces in contact with nonhuman primates to be readily cleaned and sanitized in accordance with § 3.84(b)(3) of this subpart, or replaced when worn or soiled.

**Date(s): April 4, 2016 and January 5, 2016**

**§ 3.125(a) Facilities, General.**

*Structural strength.* The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

**§ 3.125(a) Facilities, General.**

*Perimeter fence.* On or after May 17, 2000, all outdoor housing facilities (i.e., facilities not entirely indoors) must be enclosed by a perimeter fence that is of sufficient height to keep animals and unauthorized persons out. Fences less than 8 feet high for potentially dangerous animals, such as, but not limited to, large felines (e.g., lions, tigers, leopards, cougars, etc.), bears wolves, rhinoceros, and elephants, or less than 6 feet high for other animals must be approved in writing by the Administrator. The fence must be constructed so that it protects the animals in the facility by restricting animals and unauthorized persons from going through it or under it and having contact with the animals in the facility. It must be of sufficient distance from the outside of the primary enclosure to prevent physical contact between animals inside the enclosure and animals or persons outside the perimeter fence. Such fences less than 3 feet in distance from the primary enclosure must be approved in writing by the Administrator.

*The above is not intended to be an all-inclusive list. Please know that you are responsible for ensuring that your facility, animals, and property are in compliance with the Animal Welfare regulations. Inspection reports can be found on APHIS' website at:*

<https://acissearch.aphis.usda.gov/LPASearch/faces/Warning.jspx>.

The Animal and Plant Health Inspection Service (APHIS) created federal regulations to ensure the welfare of animals and help prevent the spread of animal and plant pests and diseases. Since violations of the regulations can have serious and costly impacts that are detrimental to the public interest, APHIS is providing you with an Official Warning for the violation(s) described above. Any further violation of these federal regulations may result in the assessment of a civil penalty, criminal prosecution, or other sanctions. If you have any questions concerning this Official Warning or violation(s), please contact the APHIS official listed in this notice.

<b>APHIS OFFICIAL (Name):</b> Gerald Rushin	<b>OFFICE ADDRESS:</b> 4700 River Road Riverdale, MD 30737	
<b>APHIS OFFICIAL (TITLE):</b> Assistant Deputy Administrator Animal Care	<b>DATE ISSUED:</b> June 6, 2016	<b>TELEPHONE NO:</b> (970) 494-7478
<b>CERTIFIED MAIL RECEIPT NO:</b> 7015 0640 0000 4063 9355		

APHIS FORM 7060

Previous editions may be used

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